

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

IN RE:)	Judge Patricia A. Gaughan
)	Case No. 5:12-cv-987-PAG
Fair Finance Company,)	
DEBTOR)	Judge Marilyn Shea-Stonum
)	Bankr. Case No. 10-50494
)	Adv. No. 12-5101
Brian A. Bash,)	
PLAINTIFF,)	CASE NO. 10-50494
)	
vs.)	
)	ORDER AND MEMORANDUM OF PRE-
Fortress Credit Corp.,)	TRIAL CONFERENCE HELD ON
)	November 19, 2013
DEFENDANTS.)	

PARTICIPANTS:

Joseph Hutchinson/ David Proano / Michael VanNiel / Kelli Burgan as Counsel for Trustee
John Hutchinson / Benjamin Nagin / Lee Antanasio / D. Adler as Counsel for Fortress

The Court held a pre-trial conference in the above-captioned matter on November 11, 2013. During the conference, counsel indicated they were working toward an agreed schedule for expert depositions and further discovery needs. Counsel shall submit a proposed agreed order setting forth this schedule.

In addition, a further telephonic pre-trial conference shall be held on **December 10, 2013 at 10:00 a.m.** to discuss any jury issues in this adversary proceeding and the estimated trial time needed in this adversary proceeding.

With respect to the jury issues in this case, by not later than **November 27, 2013**, Plaintiff's counsel shall provide to Fortress a summarized statement or matrix of Plaintiff's position with respect to the right to a jury, the proposed size of the jury and the need to have a unanimous verdict.

Fortress shall provide its response to the Plaintiff by not later than **December 4, 2013**.

The Plaintiff shall file with the Court by not later than **Noon on December 5, 2013**, a matrix identifying with specificity all jury issues upon which Plaintiff and Defendant agree and all jury issues upon which they do not agree. With respect to any disputed jury issue, the matrix shall include a

citation to the controlling precedent upon which counsel are relying in support of his or her position.


MARILYN SHEA-STONUM
U.S. Bankruptcy Judge

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cc (via electronic mail):

All counsel associated with this case